



PATENT
Docket No.: 3000254 / 703189-4001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Assignee: ConAgra Foods, Inc.

Inventors: Michael J. Wolt *et al.*

App. No: 10/797,243

Filed: March 9, 2004

For: HIGH SATIETY INDEX
BREAD

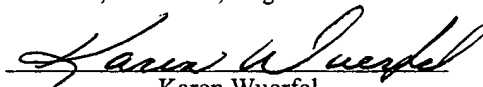
Group Art Unit: 1761

Examiner: Tran Lien, Thuy

Certificate of Mailing Under
37 C.F.R. § 1.8

Date: November 15, 2004

Pursuant to 37 C.F.R. § 1.8, I hereby certify that this correspondence and all attachments are being deposited with the United States Postal Service as first class mail on the date indicated above in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Karen Wuerfel

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

ConAgra Foods, Inc., is the owner of 100 percent interest in the above-identified application, as reflected in the Assignment recorded at Reel/Frame 015094 / 0827, on March 9, 2004, and is the owner of 100 percent in U.S. Patent No. 6,706,305, entitled Low Glycemic Index Bread, as reflected in the Assignment recorded at Reel/Frame 012352 / 0440, on October 31, 2001.

Applicant hereby disclaims the terminal part of any patent granted on the subject application that would extend beyond the expiration date of U.S. Patent No. 6,706,305.

11/22/2004 MBERHE 00000009 502518 10797243

02 FC:1814 110.00 DA

Applicant hereby agrees that any patent so granted on the subject application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,706,305, this agreement to run with any patent granted on the above-identified application and to be binding upon Applicant, and its successors or assigns.

Applicant does not disclaim any terminal part of any patent granted on the subject application before the expiration date of the full statutory term of U.S. Patent No. 6,706,305 in the event that this patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.312(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I, Gary D. Lueck, counsel of record in the above-identified application, represent that I am a representative authorized to make this disclaimer on behalf of ConAgra Foods, Inc. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

PATENT

New Docket No.: 3000254 / 703189-4001

For the fee payment in the amount of \$110.00 (large entity), and any additional required fees necessitated by the filing of this document, please charge Deposit Account No. 50-2518, Docket No. 3000254 / 703189-4001.

Respectfully submitted,

BINGHAM MCCUTCHEN LLP

Dated: November 15, 2004

By: 

Gary D. Lueck
Reg. No. 50,791

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (213) 680-6813
Facsimile: (213) 680-6499